

filtering the contents data of the identified at least one block; and
reproducing or distributing the filtered contents data.

*B1
Condensed*

43. (New) The method of claim 42, wherein the filtering step comprises applying predetermined filtering specified in the extracted control information.

A1

44. (New) A program product comprising a computer readable medium and executable code embedded in the medium for implementing the method of claim 42.

REMARKS

The January 27, 2003 Office Action has been carefully considered. The claim amendments above and the following comments are presented in a bona fide effort to address all issues raised in that Action and thereby place this case in condition for allowance. Prompt favorable reconsideration of the amended application is solicited.

The original claims have been cancelled and replaced with new claims. Claims 25-44 are now active in this application. For reasons discussed in detail below, it is believed that all of the active claims are patentable and in condition for allowance.

In an accompanying drawing correction request, Applicants propose to revise the text in decision block 2009 of Fig. 8 to specify "Are Filtering Conditions Satisfied?" to conform the drawing to the description thereof in lines 3-4 of page 11 of the specification. Approval of the change to Figure 8, as shown in red ink on the photocopy attached to the request, is courteously solicited.

In the Office Action, original claims 1-7 and 9-24 were rejected under 35 U.S.C. §102 as anticipated by U.S. Patent No. 6,320,829 to Matsumoto et al. (hereinafter Matsumoto). It is respectfully submitted that the presentation of new claims 25-44 overcomes this rejection.

For example, new method claim 25 specifies a step of deciding how to execute the predetermined filtering of the contents data, and a step of filtering a predetermined portion of the contents data according to the decision. Similar steps are implemented in the execution of the program code, in program product claim 38. Matsumoto does not disclose these claimed steps.

It is submitted that Matsumoto discloses determining whether to allow or restrict reproducing/copying based on a combination of watermark information and copy control information. However, Matsumoto makes an all or nothing decision to allow or restrict the contents output (see e.g. last sentence of the Abstract). Consequently, Matsumoto does not filter “a predetermined portion” of the contents, as in independent claims 25 and 38. Also, Matsumoto does not determine “how to execute” or apply “predetermined filtering” as specified in the control information, as in these claims. In Matsumoto, the determination is a simple yes or no decision, and if yes, the result is only to restrict. For at least these reasons, claims 25 and 38, and the claims that depend therefrom, distinguish over the applied Matsumoto patent.

New independent claim 33 is an apparatus claim. Here, the apparatus includes a deciding unit and a filtering unit. The deciding unit decides how to execute the predetermined filtering, and the filtering unit filters a predetermined portion of the contents data according to that decision. Matsumoto’s determination of whether to allow or restrict reproducing/copying at most applies a restriction to the entire contents and if so applies restriction to all contents. As such, Matsumoto does not filter “a predetermined portion” of the contents, and Matsumoto does not decide “how to execute” or apply “predetermined filtering” as specified in the control information. For at least

these reasons, new claim 33 and the claims that depend therefrom distinguish over the applied Matsumoto patent.

It is noted with appreciation that the Examiner indicated claim 8 would be allowable if recast in independent form, incorporating the limitations of independent claim 1 and intervening claim 4 from which 8 depended. New claim 41 is a method claim intended to correspond to original claim 8 combined with claims 1 and 4. The new claim is reformatted somewhat, to present the combined language in a clear and concise manner, but it is believed that the new version (41) substantially preserves the allowable scope of original dependent claim 8.

New claims 42-44 include limitations relating to processing and filtering of ‘blocks’ of the content data, that is to say so as to apply the filtering to a specific part (one or more blocks) of the contents. For example, independent claim 42 specifies a step of processing the extracted control information to determine whether to apply filtering **and identify at least one block** of contents data to which filtering is to be applied. The independent claim then specifies filtering the contents data of the identified at least one block, that is to say of the block(s) identified by the processing of the extracted control information in the previously recited step. As noted above, Matsumoto makes an all or nothing decision to allow or restrict the contents output, albeit based on a combination of watermark information and copy control information. Matsumoto apparently applies the decision to restrict to all of the contents. Matsumoto does not identify any specific blocks of the contents data, and Matsumoto does not apply the restriction to an identified one or more blocks of the contents data, as in claims 42-44. These claims therefore provide another distinction over the applied Matsumoto patent.

For the reasons outlined above, all of the pending claims (25-44) distinguish over the applied document and therefore should be in condition for allowance. Prompt favorable

reconsideration and issuance of a notice of allowability of all of the pending claims are earnestly solicited.

It is believed that this response addresses all issues raised in the January 27, 2003 Office Action. However, if any further issue should arise that may be addressed in an interview or obviated by an Examiner's amendment, it is requested that the Examiner telephone Applicants' representative at the number shown below.

To the extent necessary, if any, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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